

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEATTY. DOCKET NO. 029318/0109

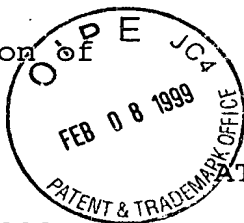
In re Patent Application of

BOSCH et al.

Serial No. 09/190,138

Filed: November 12, 1998

For: AEROSOLS OF NANOPARTICULATE DRUGS



ATTN: BOX MISSING PARTS

TRANSMITTAL LETTERAssistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Responsive to the Notice to File Missing Parts of Application under 37 CFR 1.53(d) mailed December 8, 1998, attached hereto are the following to complete the formal filing requirements in the above-identified application:

- XX Declaration and Power of Attorney signed by each Inventor.
- XX Check in the amount of \$1,976.00 in payment of the \$760.00 official Government filing fee, including \$130.00 surcharge, \$546.00 fee for seven (7) additional independent claims, and \$540.00 fee for thirty (30) addition dependent claims.
- _____ Small Entity Declaration signed by or on behalf of each individual, concern or organization having rights in the subject invention.
- _____ Assignment to with transmittal letter and check covering recordation fee (recordation fee of \$40 included in attached check).
- _____ Claim for Convention Priority with certified copy of the priority document.

Serial No. 09/190,138

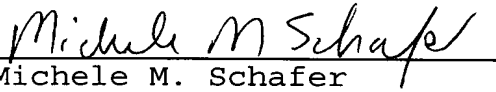
XX A copy of the Notice to File Missing Parts
of Application (Form PTO-1533) mailed
December 8, 1998.

The Commissioner is hereby authorized to charge any
additional fees or credit any overpayment to Deposit Account
No. 19-0741.

Receipt is now awaited by Applicants of the official
Filing Receipt confirming the above-noted filing date and
Serial Number.

Respectfully submitted,

February 8, 1999


Michele M. Schafer
Reg. No. 34,717

FOLEY & LARDNER
3000 K Street, N.W.
Suite 500
Washington, D.C. 20007-5109
Tel: (202) 672-5300

BEST AVAILABLE COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER 09/150,436	FILING/RECEIPT DATE 11/12/98	FIRST NAMED APPLICANT BOSCH	ATTORNEY DOCKET NO./TITLE H 029318/14109
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FOLEY & LARDNER
3000 K STREET
SUITE 500
WASHINGTON, DC 20007-5109



NOT ASSIGNED

1614

DATE MAILED:

12/08/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 1976.00

☒ 1. The statutory basic filing fee is:

- ☒ missing
☐ insufficient

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ 540.00 or 7 independent claims over 3.

\$ 540.00 or 30 dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

A. Senoo
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/11/1999 CVOBCH 06 09190138
01-FC:101
02-FC:105
03-FC:103
04-FC:103